

## Department of Energy

## § 420.10

varying degrees of limitation are placed on general traffic usage and/or parking.

*Vanpool* means a group of riders using a vehicle, with a seating capacity of not less than eight individuals and not more than fifteen individuals, for transportation to and from their residence or other designated locations and their place of employment, provided the vehicle is driven by one of the pool members.

*Variable working schedule* means a flexible working schedule to facilitate activities such as carpools, vanpools, public transportation usage, and/or telecommuting.

[61 FR 35895, July 8, 1996, as amended at 62 FR 26726, May 14, 1997]

### § 420.3 Administration of financial assistance.

(a) Financial assistance under this part shall comply with applicable laws and regulations including, but without limitation, the requirements of:

(1) Executive Order 12372, Intergovernmental Review of Federal Programs, as implemented by 10 CFR part 1005.

(2) DOE Financial Assistance Rules (10 CFR part 600); and

(3) Other procedures which DOE may from time to time prescribe for the administration of financial assistance under this part.

(b) The budget period(s) covered by the financial assistance provided to a State according to § 420.11(b) or § 420.33 shall be consistent with 10 CFR part 600.

(c) Subawards are authorized under this part and are subject to the requirements of this part and 10 CFR part 600.

### § 420.4 Technical assistance.

At the request of the Governor of any State to DOE and subject to the availability of personnel and funds, DOE will provide information and technical assistance to the State in connection with effectuating the purposes of this part.

### § 420.5 Reports.

(a) Each State receiving financial assistance under this part shall submit to the cognizant Regional Office Director

a quarterly program performance report and a quarterly financial status report.

(b) Reports under this section shall contain such information as the Secretary may prescribe in order to monitor effectively the implementation of a State's activities under this part.

(c) The reports shall be submitted within 30 days following the end of each calendar year quarter.

### § 420.6 Reference standards.

(a) The following standards which are not otherwise set forth in this part are incorporated by reference and made a part of this part. The following standards have been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. A notice of any change in these materials will be published in the Federal Register. The standards incorporated by reference are available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(b) The following standards are incorporated by reference in this part:

(1) The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), 1791 Tullie Circle, N.E., Atlanta, Georgia 30329, (404) 636-8400/The Illuminating Engineering Society of North America (IESNA), 345 East 47th Street, New York, New York 10017, (212) 705-7913: (i) ASHRAE/IESNA 90.1-1989, entitled "Energy Efficient Design of New Buildings Except Low-Rise Residential Buildings," with Addenda 90.1b-1992; Addenda 90.1d-1992; Addenda 90.1e-1992; Addenda 90.1g-1993; and Addenda 90.1i-1993, IBR approved for § 420.2 and § 420.15.

(2) The Council of American Building Officials (CABO), 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041, (703) 931-4533: (i) The Model Energy Code, 1993, including Errata, IBR approved for § 420.2 and § 420.15.

## Subpart B—Formula Grant Procedures

### § 420.10 Purpose.

This subpart specifies the procedures that apply to the Formula Grant part

## § 420.11

of the State Energy Program, which allows States to apply for financial assistance to undertake a wide range of required and optional energy-related activities provided for under § 420.15 and § 420.17. Funding for these activities is allocated to the States based on funds available for any fiscal year, as described under § 420.11.

### § 420.11 Allocation of funds among the States.

(a) The cognizant Regional Office Director shall provide financial assistance to each State having an approved annual application from funds available for any fiscal year to develop, modify, or implement a plan.

(b) DOE shall allocate financial assistance to develop, implement or modify plans among the States from funds available for any fiscal year, as follows:

(1) If the available funds equal \$25.5 million, such funds shall be allocated to the States according to Table 1 of this section.

(2) The base allocation for each State is listed in Table 1.

TABLE 1—BASE ALLOCATION BY STATE

State/Territory	
Alabama .....	\$381,000
Alaska .....	180,000
Arizona .....	344,000
Arkansas .....	307,000
California .....	1,602,000
Colorado .....	399,000
Connecticut .....	397,000
Delaware .....	164,000
District of Columbia .....	158,000
Florida .....	831,000
Georgia .....	534,000
Hawaii .....	170,000
Idaho .....	190,000
Illinois .....	1,150,000
Indiana .....	631,000
Iowa .....	373,000
Kansas .....	327,000
Kentucky .....	411,000
Louisiana .....	446,000
Maine .....	231,000
Maryland .....	486,000
Massachusetts .....	617,000
Michigan .....	973,000
Minnesota .....	584,000
Mississippi .....	279,000
Missouri .....	518,000
Montana .....	182,000
Nebraska .....	246,000
Nevada .....	196,000
New Hampshire .....	216,000
New Jersey .....	783,000
New Mexico .....	219,000
New York .....	1,633,000
North Carolina .....	564,000

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TABLE 1—BASE ALLOCATION BY STATE—  
Continued

State/Territory	
North Dakota .....	172,000
Ohio .....	1,073,000
Oklahoma .....	352,000
Oregon .....	325,000
Pennsylvania .....	1,090,000
Rhode Island .....	199,000
South Carolina .....	340,000
South Dakota .....	168,000
Tennessee .....	476,000
Texas .....	1,322,000
Utah .....	242,000
Vermont .....	172,000
Virginia .....	571,000
Washington .....	438,000
West Virginia .....	286,000
Wisconsin .....	604,000
Wyoming .....	155,000
American Samoa .....	115,000
Guam .....	120,000
Northern Marianas .....	114,000
Puerto Rico .....	322,000
U.S. Virgin Islands .....	122,000
Total .....	25,500,000

(3) If the available funds for any fiscal year are less than \$25.5 million, then the base allocation for each State shall be reduced proportionally.

(4) If the available funds exceed \$25.5 million, \$25.5 million shall be allocated as specified in Table 1 and any in excess of \$25.5 million shall be allocated as follows:

(i) One-third of the available funds is divided among the States equally;

(ii) One-third of the available funds is divided on the basis of the population of the participating States as contained in the most recent reliable census data available from the Bureau of the Census, Department of Commerce, for all participating States at the time DOE needs to compute State formula shares; and

(iii) One-third of the available funds is divided on the basis of the energy consumption of the participating States as contained in the most recent State Energy Data Report available from DOE's Energy Information Administration.

(c) The budget period covered by the financial assistance provided to a State according to § 420.11(b) shall be consistent with 10 CFR part 600.

### § 420.12 State matching contribution.

(a) Each State shall provide cash, in kind contributions, or both for SEP activities in an amount totalling not less